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212

Attorney's Docket No.: 42390P12322

Patent

In re the Application of: Bottom et al.

(inventor(s))

Application No.: 09/966,830

Filed: September 28, 2001

For: A Modular Server Architecture with High-Availability Management Capability

(title)

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ASSISTANT COMMISSIONER FOR PATENTS

Washington, D.C. 20231

Technology Center 2100

SIR: Transmitted herewith is an Amendment for the above application.

Small entity status of this application under 37 C.F.R. §§ 1.9 and 1.27 has been established by a verified statement previously submitted.

A verified statement to establish small entity status under 37 C.F.R. §§ 1.9 and 1.27 is enclosed.

XXXX No additional fee is required.

The fee has been calculated as shown below:

| | (Col. 1) | | (Col. 2) | (Col. 3) |
|------------------|--|-------|---------------------------------------|------------------|
| | Claims Remaining After Amd. | | Highest No. Previously Paid For | Present Extra |
| Total Claims | * 26 | Minus | ** 26 | |
| Indep. Claims | * 5 | Minus | *** 5 | |
| | First Presentation of Multiple Dependent Claim(s) | | | |

* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

** If the "Highest No. Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.

*** If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space. The "Highest No. Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.

| SMALL ENTITY | |
|-------------------|-------------------|
| Rate | Additional Fee |
| X9 | \$ |
| X42 | \$ |
| +140 | \$ |
| Total Add. Fee | \$ |

| OTHER THAN A SMALL ENTITY | |
|------------------------------|-------------------|
| Rate | Additional Fee |
| X18 | \$ 0.00 |
| X84 | \$ 0.00 |
| +280 | |
| Total Add. Fee | \$ 0.00 |

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231

on February 13, 2002
Date of Deposit

Krista Mathieson

Name of Person Mailing Correspondence

Signature

Date

_____ A check in the amount of \$ _____ is attached for presentation of additional claim(s).
_____ Applicant(s) hereby Petition(s) for an Extension of Time of _____ month(s) pursuant to
37 C.F.R. § 1.136(a).

_____ A check for \$ _____ is attached for processing fees under 37 C.F.R. § 1.17.

_____ Please charge my Deposit Account No. 02-2666 the amount of \$ _____.

A duplicate copy of this sheet is enclosed.

X The Commissioner of Patents and Trademarks is hereby authorized to charge payment of the
following fees associated with this communication or credit any overpayment to Deposit Account
No. 02-2666 **(a duplicate copy of this sheet is enclosed):**

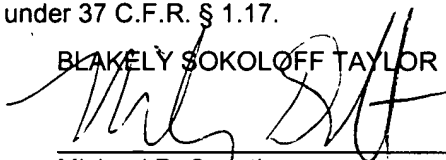
X Any additional filing fees required under 37 C.F.R. § 1.16 for presentation of
extra claims.

X Any extension or petition fees under 37 C.F.R. § 1.17.

Date: _____

2/13/02

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP



Michael DeSanctis
Reg. No. 39,957

12400 Wilshire Boulevard
Seventh Floor
Los Angeles, California 90025
(303) 740-1980



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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 09/966,830 | 09/28/2001 | David A. Bottom | 42390P12322 |

CONFIRMATION NO. 5003

FORMALITIES LETTER



OC000000006989382

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
Seventh Floor
12400 Wilshire Boulevard
Los Angeles, CA 90025-1026

Date Mailed: 10/29/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

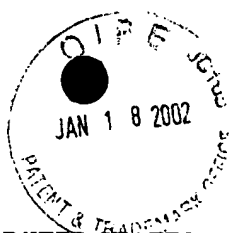
PART 2 - COPY TO BE RETURNED WITH RESPONSE

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130.00 DP

Our Docket No: 42390P12322



PATENT

Section 8
COPY OF PAPERS
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Bottom et al

Application No.: 09/966,830

Filed: September 28, 2001

For: A MODULAR SERVER ARCHITECTURE)
WITH HIGH-AVAILABILITY)
MANAGEMENT CAPABILITY)

Examiner: Not yet assigned

Art Unit: 2152

FIRST CLASS CERTIFICATE OF MAILING
(39 C.F.R. § 1.3 (a))

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Department of Commerce, Washington, D.C. 20231.

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION
(FILING DATE GRANTED)

Box Missing Parts
Assistant Commissioner for Patents
Washington, D.C. 20231

On December 31, 2001
Date of Deposit
Krista Matheson
Name of Person Mailing Correspondence
Krista Matheson 12/31
Signature Date

Sir:

In response to the Notice to File Missing Parts of Application (Filing Date Granted) mailed October 29, 2001, please find enclosed:

- (1) a duly executed Declaration and Power of Attorney with respect to the above-referenced patent application;
- (2) a check in the amount of \$130.00 in payment of the surcharge of 37 C.F.R. § 1.16(e);
- (3) a copy of the Notice to File Missing Parts of Application.

If any additional fee is required, please charge Deposit Account No. 02-2666. A duplicate of this Response is enclosed for deposit account charging purposes.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: 12/31

Michael DeSanctis
Reg. No. 39,957

12400 Wilshire Blvd., 7th Floor
Los Angeles, California 90025-1026
(303) 740-1980

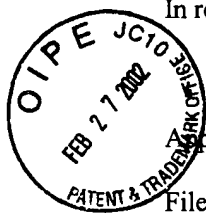
Docket No.: 42390P12322
Application No.: 09/966,830

COPY OF PAPERS
ORIGINALLY FILED

2100 #6
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Our Docket No: 42390P12322

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re Application of:

Bottom et al.

Application No: 09/966,830

Filed: September 28, 2001

For: A MODULAR SERVER ARCHITECTURE
WITH HIGH-AVAILABILITY
MANAGEMENT CAPABILITY

Examiner: Not Yet Assigned

Art Unit: 2152

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Technology Center 2100

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LETTER TO DRAFTSPERSON UNDER MPEP 608.02(q) AND 608.02(r)

Box Official Draftsperson
Assistant Commissioner for Patents
Washington, D.C. 20231

February 13, 2002
Krista Mathison
Name of Person Mailing Correspondence
Krista Mathison 2/13/02
Signature Date

Sir:

Pursuant to MPEP sections 608.02(q) and 608.02(r), Applicant respectfully
requests approval of the alteration(s) and/or correction(s) as indicated in the
accompanying red-lined drawing(s).

Enclosed is a drawing of Figure 1B (the "Amended Figures") in which a proposed
amendment is indicated in red. Also enclosed is a corrected drawing of the Amended
Figure which incorporates the proposed amendment. The replacement of the original
drawing of the Amended Figure with the corrected drawing of the Amended Figure is
respectfully requested.

Respectfully submitted,
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: 2/13/02

Michael A. DeSanctis
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7th Floor
Los Angeles, California 90025-1026
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